

REMARKS

In the Office Action mailed September 21, 2007, the Examiner rejected claims 21-39 under 35 U.S.C. § 102(b) as being anticipated by Broberg et al. (WO 99/40654), hereinafter "*Broberg*". Applicants respectfully submit that claims 21-22 and 24-39 are in condition for allowance and respectfully request notice to this effect.

I. Status of the Claims.

Applicants submit an amended set of claims in which independent claim 21 has been amended to include the features of original claim 23. Accordingly, Applicants have also canceled claim 23.

II. Response to the Rejection under 35 U.S.C. § 102(b)

The Examiner rejected claims 21-39 under 35 U.S.C. § 102(b) as being anticipated by *Broberg*. In amended claim 21, Applicants recite a method of calibrating a multi-section tuneable laser to a specific frequency. The method involves (a) measuring output values from the laser as a function of coarse tuning currents of the laser, (b) forming a first discrete matrix from said output values from the laser, the first discrete matrix being defined by an optical characteristic of the output of the laser at specific determining tuning currents, and (c) processing the first discrete matrix so as to determine stable operating points within the first discrete matrix, the stable operating points defining specific frequencies where the laser may be operated.

At the least, the teaching of *Broberg*, and specifically Figure 6, does not teach the step of measuring output values from the laser as a function of coarse tuning currents of the laser. Moreover, *Broberg* does not disclose the step of forming a first discrete matrix from output

values of a laser, where the output values are measured as a function of coarse tuning currents of a laser. The coarse tuning of claim 21 defines a coarse plane to help provide a quick, effective, and accurate measurement to help simplify calibration of the laser. *See e.g.* Figure 3. Thus, the discrete matrix disclosed in claim 21 helps reduce the number of output values used to determine stable operating points for calibration.

In contrast, at page 2, paragraph 2, *Broberg* discloses “a laser measuring process that enables all parameters to be fully mapped as a function of all but different drive currents.” As a result, *Broberg* does not allow performance of the calibration to be checked without determining *all* parameters, each of which are *fully* mapped. For at least the foregoing reasons, Applicants submit that claim 21 is not anticipated by *Broberg*.

Further, Applicants submit that claim 35 is not anticipated by *Broberg*. Among other steps, claim 35 involves steps for (a) measuring the output power of the device as a function of the coarse tuning sections and (b) determining an edgemap or discontinuities in the measured data. Therefore, claim 35 is not anticipated by *Broberg* for similar reasons as those discussed in reference to claim 21.

As independent claims 21 and 35 are allowable, Applicants submit that dependent claims 22 and 24-39 are allowable at least for the reason that these claims depend from an allowable base claim. In light of the above, Applicants respectfully request withdrawal of the rejection of claims 21-22 and 24-39 under 35 U.S.C. § 102(b).

III. Conclusion

Applicants submit that the present application is in condition for allowance and respectfully request notice to this effect. The Examiner is requested to contact Applicants' representative below if any questions arise or she may be of assistance to the Examiner.

Respectfully Submitted,
McDonnell Boehnen Hulbert & Berghoff LLP

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By: /Michael D. Clifford/
Michael D. Clifford
Reg. No. 60,550